

# Preemies found dead; coc

By Harry Harris  
The Tribune SAT.

2/13/88

Premature twin boys born in a bathroom to an East Oakland woman on a three-day cocaine binge were found dead after she chose to continue freebasing rather than seek medical care, police said yesterday.

Investigators said the woman told them the first baby stayed "alive, kicking and squealing" for at least two hours on the bathroom floor while the second baby apparently was stillborn.

The woman, Deborah Stewart,

36, was arrested yesterday for investigation of two counts of murder. She was booked in absentia since she remains in a local hospital in stable condition.

The dead infants were not discovered until about 8:30 p.m. Thursday after Stewart told a paramedic what happened while on her way to the hospital for treatment of bleeding.

She was about five months pregnant, police said. The first baby weighed just over a pound and the second weighed 13 ounces.

The births, which the woman said occurred within four hours of each other Thursday, are tragic examples of what police and health officials say is a growing problem — cocaine babies.

As many as five cocaine-addicted babies are born each week to Oakland parents, police said.

The problem is so great in Alameda County that county officials have set aside 60 hospital beds for the fragile infants of drug-addicted mothers.

Sgt. C.D. Williams said Stewart said she was aware of the potential danger to the unborn children from using cocaine but told him "when you're smoking cocaine your reasoning goes out the window."

She said she thought if she just used "a little bit" of cocaine "it wouldn't hurt" the unborn infants, Williams said.

Stewart allegedly told police she has been smoking cocaine off and on for several years but re-

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the woman remained hospi-

# COKE Baby TWINS found dead in Oakland

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cently started using it more frequently because of personal problems.

When the father of the twins found out Stewart was pregnant five months ago, he left her, she told police. She said she has been feeling more and more "isolated, alone and abandoned," Williams said.

She had been told by her doctor to take a leave from her \$2,000-a-month job as a word processing supervisor at a San Francisco law firm last month because the pregnancy and childbirth were expected to be difficult.

Williams said Stewart told police she started smoking cocaine with a male friend about 6 p.m.

Tuesday in her 64th Avenue apartment.

Williams said that at about 2 a.m. Wednesday, Stewart's water broke, which caused her to become concerned, "but not concerned enough to stop smoking."

She smoked cocaine until about noon Wednesday when she told the friend to leave so she could pick up her \$341 county assistance check.

Using some of the money to buy more cocaine, Stewart returned to her apartment Wednesday afternoon where she resumed freebasing, Williams said.

About 11 a.m. Thursday, Williams said, Stewart thought she had to use the bathroom. Instead, she delivered the first baby.

But rather than seeking medical help, she left the baby on the tile floor and returned to her bedroom "to smoke some more," Williams said.

She said she could hear the baby in the bathroom for at least two hours but did not go back to tend to the child, Williams said.

Eventually, the sounds from the bathroom stopped.

About four hours later, feeling some abdominal pain, she went to the bathroom again where she delivered the second baby. Williams said Stewart told him the baby showed no signs of movement.

By this time, she was bleeding badly and tried without success to stop the bleeding.

It was not until almost 8 p.m. Thursday — after smoking still

more cocaine — that she called for an ambulance when she thought she was going to faint, Williams said.

When the ambulance arrived, Stewart met paramedics outside the apartment and told them at first that she was pregnant with twins and needed medical attention because she was bleeding.

It was not until she was en route to the hospital that she told paramedics about the babies.

Williams said the cause of death for the two infants has not been determined pending final autopsy results by the Alameda County Coroner's Office.

The woman remained hospitalized last night. The Alameda County District Attorney will decide what charges, if any, will be filed against her.

# 'Coke babies' haunt Bay Area

By Jesus Mena  
The Tribune

SAT. 2/13/88

Stewart, Deborah

The tragic deaths of twin boys born to a woman who smoked cocaine while in labor are the most graphic cases of a problem plaguing the entire Bay Area.

The number of babies born to cocaine-addicted women is growing astronomically, experts said yesterday, as the addiction affects pregnant women in all walks of life.

they do not suffer from drug withdrawal.

"It's not just a problem for minorities and the poor," said Dr. Don Wong, chief of nursery at San Francisco General Hos-

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she delivered the babies in the



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pital. "There are cocaine-abuse babies in every hospital in the city. But it's something that gets downplayed."

The newborns are often addicted to cocaine and require medical observation to ensure they do not suffer from drug withdrawal.

Many cocaine babies suffer from respiratory problems and may have long-term developmental problems although there are no conclusive studies yet on the subject.

Deborah Stewart, who told police she smoked cocaine before delivering two baby boys on Thursday, was arrested by Oakland police for investigation of murder.

Police said she did not tell anyone about the dead infants until after she was on her way to the hospital for treatment of heavy bleeding.

Stewart, 36, told investigators she was about five months pregnant and had been freebasing cocaine for two days straight when she delivered the babies in the bathroom of her apartment.

One of the babies cried for a couple of hours and the other one was stillborn, police said.

Proving that cocaine caused the babies' death will be very difficult, Wong said.

The twins — weighing 1 pound, 3 ounces and 13 ounces — were probably too small to survive under any circumstances, he said.

"Even if there were a survival

team on site, the chances of survival for them were slim at best," he said. "The drug may have led to premature labor. But was there a direct relationship between the drug and the death? There is no way to say."

Dr. Rick Fulroth, former chief of the Highland General Hospital nursery, said that smoking cocaine during pregnancy is very damaging to the fetus.

"Research has shown that whenever a mother smokes cocaine it cuts the blood flow from the mother to the baby," Fulroth said. "That means the baby is robbed of oxygen and food whenever she smokes."

During labor a baby is undergoing pressure from contractions of the uterus, a process that also reduces the flow of blood to the baby, Fulroth said. Smoking cocaine during labor will further reduce the supply of oxygen to the baby, he said.

A baby undergoing such stress can secrete its fecal matter in the womb. If it swallows fecal matter — known as meconium — the baby can develop a "chemical pneumonia," he said.

Ten out of every 100 babies born in San Francisco General Hospital have been exposed to cocaine, according to Wong. That hospital delivers an average of 200 babies a month.

At Highland General Hospital in Oakland, 15 or 16 out of every 100 babies born are exposed to

cocaine, Fulroth said. The county hospital delivers between 170 and 200 babies monthly.

Carol Gates, spokeswoman for Kaiser Permanente Hospital in Oakland, said that private hospitals also are seeing a rise in cocaine-exposed babies.

About 2 percent of Kaiser Permanente's 250 deliveries each month are exposed to cocaine.

"Two years ago we had none," she said.

Alta Bates-Herrick Hospital spokesman Carl Smith could offer no statistics on deliveries at his hospital, although he concurred with Gates.

"We do know at a gut level that it's on the rise," he said.

# Cocaine mom faces two murder counts in twins' deaths

*Oakland police to investigate other infant deaths where drugs suspected*

WED FEB 17 1988

By Harry Harris  
The Tribune

An Oakland woman whose premature twin boys died after she chose to continue freebasing cocaine rather than seek medical care was formally charged yesterday with two counts of murder.

While those charges were being filed by the Alameda County District Attorney's Office, Oakland police said they will be taking a closer look at all infant deaths where drug abuse is suspected and will seek criminal charges against parents if appropriate.

Homicide Lt. Jim Hahn said yesterday such deaths will be more closely reviewed because of the "alarming increase" in infants being born to addicted parents.

He said "if there is even a hint of drug abuse" involved in a baby's death, homicide investigators will take a critical look at the case "and whenever possible seek murder or manslaughter charges."

The woman charged yesterday, 36-year-old Deborah Stewart, will not be arraigned until doctors say she is physically able, authorities said. She remains in the jail ward at Highland General Hospital.

She declined to be interviewed last night and referred inquiries to her attorney, John Burris. He

*'She was engaging in a course of conduct she was fully cognizant could cause not only premature birth but the death of her children.'*

—Aaron Payne.

could not be reached for comment last night.

Stewart was arrested Friday at Merritt Hospital, the day after giving birth to the premature twins in the bathroom of her East Oakland apartment.

Police found the dead infants about 8:30 p.m. Thursday after being notified by a paramedic who had taken Stewart to the hospital.

Sgt. C.D. Williams, who interviewed Stewart Thursday night, said she told him she had been freebasing (smoking) cocaine since Tuesday evening. She said she had been using cocaine off and on for several years, investigators said.

She said she gave birth to the first baby about 11 a.m. Thurs-

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ing \$300,000 to install classrooms and science labs. Like its militant predecessor, Project Inter-face concentrates on serving the urban poor. But the after-school educational program is as philosophically distant from the Black Panther as it is from the after-school educational program is as philo-

### *Continued from Page C-1*

day and left him crying and wriggling on the bathroom floor while she returned to her bedroom to continue freebasing. She allegedly told police that after two hours the baby stopped making noise.

She gave birth to the second infant about 3 p.m. Thursday, leaving it wrapped in a towel in the bathroom.

It was not until about 8 p.m. Thursday, when she thought she was going to pass out from blood loss, that she called an ambul-

ance. She did not mention the births until she was on her way to the hospital.

Williams said Stewart said she was aware of the potential dangers to her unborn children by her cocaine use but told him "when you're smoking cocaine your reasoning goes out the window."

Aaron Payne, senior deputy district attorney, who filed the murder charges yesterday, said it is his belief Stewart's "behavior during the pregnancy and after the births caused the deaths."

He said Stewart allegedly admitted to police she was aware that using cocaine during her pregnancy "could cause the deaths" of the infants.

"She was engaging in a course of conduct she was fully cognizant could cause not only premature birth but the death of her children," Payne said.

He said that after the births Stewart allegedly made "absolutely no effort to care for them."

"It was just as if she abandoned those kids in a dumpster, on a doorstep or the middle of the wilderness."

# Attorney questions murder charges

By Harry Harris  
The Tribune

THU FEB 18 1988

A teary-eyed, grieving woman accused of causing the deaths of her newborn, premature twin boys because of her cocaine use was arraigned in her hospital room on two counts of murder yesterday while her lawyer challenged the "legitimacy of the charges."

John Burris, who represents 36-year-old Deborah Stewart, said she never meant to harm the infants and said the doctors he has spoken to doubted whether the infants would have lived even if they had received immediate medical attention.

*Immediate medical help would not have saved twi*

Stewart's arraignment was continued until next Wednesday, when Burris said she will enter a plea and ask that bail be set.

It is expected that Stewart will be physically able to appear in Oakland Municipal Court. Meanwhile, she remains in the jail ward at Highland General Hospital.

Stewart is charged with murder in the deaths of her twin sons who were born four hours apart last Thursday in

the bathroom of Stewart's East Oakland apartment. Stewart, who was five months pregnant, allegedly told police she had been freebasing cocaine almost continuously since Tuesday night, and rather than care for the newborn infants she continued to smoke the drug.

Police and the District Attorney's Office said Stewart knew her use of the drug could cause the death of the infants. That, and the fact that she failed to seek immediate medical care for

the pregnancy she had not used

# s against 'cocaine mom'

ins, defense counsel says

them are two of the reasons she was charged with murder, authorities said.

The actual causes of death have not yet been determined by the Alameda County Coroner's Office.

Burris said Stewart had been looking forward to the birth of the twins. He said she had been under the care of a San Francisco doctor during her pregnancy, was involved in a prenatal care program and had in her home a number of books on how to take care of the infants.

Burris said he was "rather surprised at the quickness the district attorney decided to charge murder," especially since in his opinion there is a "real question as to the viability of one or both of the fetuses."

He pointed out that the first twin weighed 19 ounces and the second 13 ounces, adding that he does not think that either, "given their size and development" had the lung capacity to survive, even with medical assistance.

He said he is aware that Stewart told

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Sold For Less

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police she could hear the first born making noises for about two hours but said that could have been her imagination in her drug-induced stupor.

Stewart's cocaine use, Burris said, "in my view certainly had an effect upon her mental state."

He said "even if you assume she can be charged with murder" it must be shown that it was an "intentional act with malice

aforethought."

With the amount of cocaine Stewart ingested, Burris said the "question is could she actually form the specific intent required?"

Burris said Stewart has been a highly respected word processing supervisor for many years, most recently with a San Francisco law firm. She had been told by her doctor to take a leave from her job because her pregnancy was expected to be a difficult one.

Burris said he hasn't discussed Stewart's cocaine use with her fully. He said that for most of the pregnancy she had not used the drug, but personal problems apparently caused Stewart, who is not married, to start using the drug occasionally again.

He said the cocaine was definitely "not ingested by her for the purpose of inducing labor."

Burris said the cocaine use has had some effect on Stewart's physical condition, but that she is now more "emotionally traumatized" than anything else by what has happened.

"Having to come to grips with the fact she lost the twins she wanted and lost them in the manner she did hurts more than anything else," Burris said.

# Cocaine tragedy was woman's 'cry for help'

THU FEB 25 1988

By Harry Harris  
The Tribune

Friends of a woman charged with causing the deaths of her prematurely born twin sons through her cocaine abuse said it took the tragedy to get an answer to the woman's cries for help.

Deborah (Stewart) 36, was in Oakland Municipal Court yesterday for a bail hearing and to enter a plea to two counts of murder, but the unusual case was continued until today because her attorney was at another trial.

Stewart arrived in court from the Highland General Hospital jail ward, appearing tired and withdrawn, but managing a smile and wave at family members and friends.

Outside court, friends said Stewart had been depressed and had sought help for her drug abuse long before the twins were born Feb. 11 on the bathroom floor of her East Oakland apartment.

Police have said that rather than seek medical care for the newborn babies, Stewart continued to freebase cocaine as she had been doing for the two days before the births.

Stewart's attorney, John Burris, has said that the babies, born four months premature, had virtually no chance at life even if his client had called for medical help.

After the incident, Bay Area doctors said the number of babies born to cocaine-abusing women has been growing astronomically, and physicians at Alameda County's Highland Hospital said a "cocaine baby" is born there every day on the average. Oakland police announced they intend to arrest mothers who harm their children through drug use.

Yesterday, the Rev. Cheryl Ward of Brookins AME Baptist Church said Stewart is still "emotionally distraught" and re-

morseful, and "hopes she'll get some treatment" for her drug abuse rather than go to jail.

Gina Burr, who said she has known and worked with Stewart for the last 10 years, said she has "continually cried out for help" for her drug problem. But she had not been successful in getting any help.

Burr said that Stewart told her she "felt so alone" and would spend her days sitting in a chair staring out the window.

She said when Stewart learned she was pregnant five months

ago she was overjoyed, telling friends "now I have something to live for."

Ward said Stewart is asking that her family and friends pray for her and "pull for her and give her some help."

Both Ward and Burr said Stewart would never deliberately harm her children and hopes that someday her "reputation will be cleaned up."

But Burr also said that Stewart realizes she "is going to have to live with this for the rest of her life."



# Woman charged in cocaine deaths of twins free on bail

WED MAR 2 1988

By Harry Harris  
The Tribune

An Oakland woman charged with causing the deaths of her prematurely born twin sons because of her cocaine abuse was freed on \$7,500 bail yesterday and checked into a drug treatment program.

Deborah Stewart, 36, voluntarily checked into the program as a condition established by Judge Horace Wheatley of Oakland Municipal Court for setting what is an extremely low bail for someone charged with two counts of murder.

Stewart, who also entered an innocent plea yesterday, is scheduled to appear in court for a preliminary examination on April 12. A pre-trial hearing is set for March 23.

Stewart's attorney, John Burris, had sought a \$5,000 bail while Deputy District Attorney Eileen McAndrew asked for a \$10,000 bail.

Burris told Wheatley that upon her release from Highland General Hospital, Stewart would be checking into Gladman Memorial Hospital, a private treatment center for people with drug dependency problems.

In arguing for a low bail, Burris said Stewart had no previous criminal history and had strong family ties to the community which would not make her a "flight risk."

McAndrew agreed Stewart was probably not a flight risk but wanted a higher bail because of the "seriousness of the charges" and because of the involvement of drugs in the case.

Wheatley agreed the charges were serious but said it "makes a lot of sense" for Stewart to get into a treatment program as soon as possible and set the bail with the condition she do so.

After the court appearance Burris said the treatment program would last for three weeks

and would be paid for by Stewart's insurance company.

He said one part of the treatment would deal with Stewart's "chemical dependency." Another portion would be of a psychiatric nature to "deal with her depression and come to grips with the issues surrounding the case itself."

He said Stewart is still very distraught and suffers "mood swings." He said Stewart did not want to go to Santa Rita jail where she was "very frightful and fearful" about possible retaliation from other inmates.

Stewart is charged with causing the deaths of her two children who were born four hours apart on Feb. 11 on the bathroom floor of her East Oakland apartment. Police said that rather than seek medical treatment for the babies, Stewart continued to free-base (smoke) cocaine as she had been doing for the two days prior to the births.

# Coroner: Premature twin died of cocaine overdose

By Terry Link  
The Tribune

SAT MAR 26 1988

The Alameda County coroner reported yesterday that one of the twin boys born prematurely to an Oakland woman while she was on a three-day drug binge died of cocaine intoxication.

Deborah Stewart has been charged with murder in connection with the deaths of her twins, born Feb. 11 while she was smoking cocaine in an East Oakland apartment. Stewart, a word processing supervisor for a San Francisco law firm, was about five months pregnant at the time.

Police said she continued to smoke co-

caine after the births, not seeking medical help until she was unable to stop her own bleeding about nine hours later.

She met the ambulance on the street in front of the building and did not tell a paramedic about the infants until they were en route to the hospital.

Dr. Paul W. Herrmann, who performed the autopsy on the infant, reported the cause of death as "perinatal neglect and cocaine intoxication of live-born premature male infant."

The baby weighed 18 ounces.

The coroner's report on the second child

is not yet completed.

Stewart's attorney, John Burris, said he was "not surprised that cocaine was found in the infant. It corroborates my opinion that the mother ingested a huge amount of the drug."

But "it does not change my overall view of the case," Burris said, contending that "the fetuses were not viable" under the law.

Stewart has pleaded innocent to two counts of murder.

She was freed on \$7,500 bail March 2 to enter a drug rehabilitation program. A preliminary hearing is scheduled May 4.



# Hearing for mother in death of infant

By Harry Harris  
The Tribune

SC  
WED JUN 1 1988

The Alameda County District Attorney's Office yesterday dismissed one count of murder against an Oakland woman whose newborn twin sons died as a result of her alleged cocaine abuse.

The motion to dismiss one of two murder charges filed against Deborah Stewart was made at the start of her preliminary examination in Oakland Municipal Court.

Deputy District Attorney Eileen McAndrew told Judge Joanne Parrilli that since the second twin was stillborn, her office cannot prosecute Stewart on the second murder count.

McAndrew explained to a reporter later that the penal code states murder does not apply to anyone who aids or consents to

an act that results in the death of a fetus.

The prosecution contends Stewart voluntarily ingested cocaine during her pregnancy, and that constitutes a form of consent, she said.

Stewart, 36, gave birth to the twins within four hours of one another Feb. 11 in the bathroom of her East Oakland apartment. According to police, she free-based cocaine rather than seek medical care for the first twin, who, she reportedly told investigators, she could hear crying and wriggling on the bathroom floor.

The second twin she left wrapped in a towel in the toilet, according to police.

The bodies of the infants were not discovered until after Stewart called paramedics because she was bleeding severely.

In opening testimony yesterday, pathologist Dr. Paul Herrmann said the cause of death of the first-born twin was perinatal neglect and cocaine intoxication and the fact the child was quite premature."

Herrmann said during the autopsy he found evidence of air-trap in the infant's lungs, indicating that he had been able to breathe for some time.

Herrmann said laboratory tests found 1.14 micrograms of cocaine in the infant's liver, "a relatively high amount."

He also testified a prematurely born child "needs all the help it can get to survive," particularly "specialized care at a hospital," and said cocaine use has been known to cause premature births.

Under cross-examination by defense attorney John Burris, Herrmann said he could not tell for sure how long the baby actually breathed nor could he tell

exactly how many weeks of gestation had taken place.

Burris and his co-counsel, Michael Nisperos, contend the fetus was not yet viable.

They are also arguing that police discovered the dead infants as a result of an illegal search of Stewart's apartment. Further, they contend statements Stewart made to police in which she allegedly admitted her involvement in the infants' deaths were not voluntary.

McAndrew has said police entered Stewart's apartment without a warrant.

But Officer Jimmy O'Guinn testified that after he heard from paramedics who had been treating Stewart that there were two infants, he and other officers entered her home because "I couldn't take the chance there was not a live baby in that apartment."

The preliminary examination is expected to continue until at least Friday.

# Mom who let baby die during coke binge to face murder charge

By Harry Harris  
The Tribune

FRI JUN 17 1988

An Oakland woman accused of allowing her newborn son to die while she used cocaine will be tried on a murder charge, after she declined a negotiated plea offered by the Alameda County District Attorney's Office.

Deborah Stewart yesterday was ordered to appear for arraignment June 30 in superior court.

Depending on the outcome of pretri-

al motions, Stewart might still make a negotiated plea, said her attorney, John Burris.

"In any case you always leave the door open for resolution," he said.

The order for Stewart to stand trial for murder was made Tuesday by Oakland Municipal Court Judge Joanne Parrilli.

"Few cases present the horrors of cocaine use and the tragedies of its abuse," the judge said.

Parrilli made her ruling at the conclusion of a preliminary examination but continued the case until yesterday to see if the prosecution and defense could resolve it without going to trial.

Neither prosecutor Eileen McAndrew nor Burris would say what the plea offer was.

Stewart, a 36-year-old legal secretary, initially was charged with two counts of murder. She gave birth to premature twins within four hours of one

another Feb. 11 in the bathroom of her East Oakland apartment.

According to police and prosecutors, Stewart free-based cocaine rather than seek medical care for the firstborn, who could be heard crying while wriggling on the bathroom floor.

The second twin was left wrapped in a towel in the toilet, police said. The bodies of the infants were not discovered until June 11.

See BABY, Page B-2



ered until Stewart, who was bleeding severely, called paramedics.

The murder charge in the death of the second twin was dropped after it was determined that child was stillborn.

Defense attorney John Burris argued that since the firstborn infant was at most 23 weeks along in the gestational phase and weighed just 19 ounces it could not be considered a viable fetus, especially if the "immaturity of its organs — the lungs and brain" are considered.

He said that even "given the best of all possible circumstances" including being "born in a hospital with all the right equipment," the chances for the child's survival were less than 10 percent and probably closer to "zero."

Burris also argued that Stewart, because of her cocaine use, was not in the proper mental state of malice and intent to do harm needed to support a murder charge.

McAndrew countered that Stewart "demonstrated she had rational abilities and she was using them," particularly by meeting paramedics outside the apartment rather than letting

them in to find the infants' bodies.

McAndrew said it was "uncontested that the (first) infant breathed and was alive and was capable of surviving outside the uterus and did survive."

She said Stewart was "aware that the baby was in the bathroom crying and naked on the bathroom floor. In this case (Stewart) could have done something for the baby if she wanted to. But she was too busy smoking cocaine to dial 911."

Parrilli said the evidence presented showed the first infant was born alive, and if Stewart had called for help immediately "the baby might have lived."

She disagreed with Burris' contention that since the infant probably would not have lived it should not be considered a homicide.

The infant, Parrilli said, "should have been given the opportunity to be a miracle child."

■ ■ WED JAN 4 1989

In February of last year, the story of the crack-addict mother who delivered premature twins in East Oakland and waited several hours to call for help — both babies died — shocked many people here.

Especially dismaying were reports that the mother, Deborah Stewart, had resumed a cocaine binge between the two births.

Stewart is accused of murdering the twins, and tonight at 8 on KQED's "Express" she tells her story of crack addiction to KQED producer Akil Buchanan in an exclusive interview.

Stewart, once a pert, pretty high-school girl who wanted to be a model, tells her sad tale to Buchanan, one of allowing drugs to drive her to a life of poverty, prostitution and despair.

KQED agreed not to air Stewart's comments about any of the events connected with the murder charge — she was scheduled to appear in court today — so perhaps the most compelling part of her story is missing.

Stewart appears to realize how badly she has botched up her life, and in her vow never to do any drugs one hears more than a tinge of wishful thinking.

But if Stewart's tragic story makes just one expectant mother steer clear of crack, tonight's show can be viewed as a valuable public service.

■ ■ ■



# Drug-addict mom admits guilt in son's death

By Will Jones  
The Tribune

FRI JAN 20 1989

An Oakland woman yesterday pleaded guilty to involuntary manslaughter for the death of one of her newborn twins while she was under the influence of cocaine.

Deborah Stewart, 36, entered the plea before Alameda County Superior Court Judge Stanley Golde.

The judge continued the case until March 16, when he will receive a report from the probation department.

After receiving the report, Golde said he will send Stewart to the state Institution for Women at Frontera for a 90-day diagnostic study and a sentencing

recommendation.

Stewart's lawyer, John Burris, said the sentence could range from probation to four years in state prison.

Police said Stewart had been free-basing cocaine for two days when she gave birth to premature twin sons in her East Oakland home on Feb. 11, 1988.

After the first child was born about 11 a.m., Stewart left him writhing and crying on the bathroom floor while she continued to use cocaine, police said.

She gave birth four hours later to the second, stillborn child and left him wrapped in a towel in the bathroom.

Stewart finally called an ambulance for herself about 8 p.m.

because of heavy bleeding, but did not mention the infants until she was on her way to a hospital.

Burris said yesterday that Stewart is participating in a drug program and hasn't used

drugs since her arrest.

He said she has been working at various places in the Bay Area as a word processor pending the outcome of her case.

# Evaluation ordered for cocaine-binge mother

By Will Jones  
The Tribune

FRI MAR 17 1989

A judge yesterday sent an Oakland woman whose newborn twins died while she was on a cocaine binge to a state prison facility for evaluation before she is sentenced for involuntary manslaughter.

Alameda County Superior Court Judge Stanley Golde ordered Deborah Stewart to the state Institution for Women at Frontera for a 90-day diagnostic study and a recommendation for a sentence.

Stewart, 36, who had been free on \$7,500 bail, was taken into custody in the courtroom by the Sheriff's Department.

The study will determine whether Stewart is a candidate for probation in Alameda County or if she should be sent to state prison, according to her attorney, John Burris.

Golde will sentence Stewart after receiving the results of the evaluation. She faces a sentence ranging from probation to four years in state prison.

Stewart pleaded guilty in January to involuntary manslaughter

in connection with the death of one of her premature twins on Feb. 11, 1988.

She originally was charged with both deaths, but the District Attorney's Office dropped one charge because the second infant was stillborn.

Stewart had been free-basing cocaine for two days, according to police, when the twins were born in her East Oakland home.

One died when he was left unattended on the bathroom floor while Stewart continued to use cocaine. The other was stillborn four hours later.



# Mother charged in coke death of infant

WED MAY 10 1989

*The Associated Press*

ROCKFORD, Ill. — The mother of an infant whose death was linked to cocaine abuse during pregnancy has been charged with involuntary manslaughter and the prosecutor defended his action yesterday against growing criticism.

"The actions of this office reflect the concern, sometimes the outrage, of this community that children are born . . . at risk, both at birth and for many years," said Winnebago County State's Attorney Paul Logli.

But medical and social services officials said the charge could backfire and prevent cocaine-abusing mothers-to-be from seeking help.

## Similar case in Oakland

A similar case involving an Oakland woman preceded the ~~Chicago case~~ Deborah Stewart who pleaded guilty of involuntary manslaughter last January, is currently undergoing a diagnostic study for a recommendation for sentencing in June.

Stewart, 36, was charged with the deaths of her premature twins on Feb. 11, 1988. She had been free-basing cocaine for two days when the twins were born in her home.

The Alameda County District Attorney's Office dropped one charge because one infant was stillborn.

Dr. Ira J. Chasnoff at Northwestern University Medical School, who has directed studies on the effects of prenatal cocaine use, said of the Chicago case, "It's the incorrect approach. You want to develop an atmosphere where they know they can come into the health-care system and not be penalized. A punitive approach is not going to benefit the children."

## Punitive approach

"If the procedure becomes common enough, it could very well drive these cocaine-abusing mothers underground," said spokesman Dave Schneidman of the state Department of Children and Family Services. He noted that the state had 1,233 cocaine babies in 1988, 90 percent of them in Cook County, which includes Chicago.

Logli said there had been 27 'cocaine-exposed infants since last summer in Rockford, Illinois' second-largest city with about 150,000 people. That is up from nine the previous year.

He filed the involuntary manslaughter charge yesterday against Melanie Green, 24, later released on \$3,500 bond. An autopsy found that her baby, Bianca, died two days after birth Feb. 2 of oxygen deprivation linked to cocaine exposure late in the pregnancy.

Green, who does not yet have an attorney, also was charged with delivery of a controlled substance to a minor, Logli said.

Involuntary manslaughter is a felony punishable by two to five years in prison. The prosecutor said Green could face a 14-year maximum penalty if she is convicted of the drug charge. Arraignment is scheduled May 31, Logli said.



# Crack mom grateful to judge for chance

FRI JUN 9 1989

By Bill Snyder  
The Tribune

Deborah (Stewart) a former fashion model accused of allowing her just-born twins to die while on a crack binge, yesterday said she wants to have more children and thanked the judge who sentenced her to probation instead of prison.

"In spite of it all, the judge and my attorney gave me a chance — a new lease on life," said Stewart, whose children died 16 months ago in the bathroom of her Oakland apartment.

Stewart was interviewed the day after Judge Stanley Golde of the Alameda County Superior Court placed her on five years probation for involuntary manslaughter.

"Let's put it where it is," Golde told the 37-year-old woman on Wednesday. "Your use of cocaine contributed to the untimely births and resulting deaths of your children."



Deborah Stewart  
*New lease on life*

The judge said he was following the recommendation of the state Department of Corrections, but added: "I'm holding my breath."

And he warned Stewart that if she slips once, "you're headed for three years in state prison."

According to court records, Stewart went on a two-day crack binge during the 22nd week of her pregnancy.

She had smoked \$400 worth of crack on Feb. 11, 1988, and then went into labor.

Her first premature son was born in the bathroom, and she left him "wriggling and squirming on the floor" while she telephone a crack dealer for more

See **CRACK MOM**, Back Page

drugs," authorities said.

She delivered the second boy four hours later, but he was still-born.

Stewart then began to bleed heavily and called for an ambulance. She didn't tell anyone of the births until she was on her way to the hospital, court records state.

Stewart now disputes that story, much of it based on statements made to paramedics and police immediately after the births and subsequent surgery.

She said she was in shock from heavy loss of blood and may have been hallucinating.

Nonetheless, Stewart said, "I take responsibility for what happened." She then added "it wasn't 100 percent my fault."

Does she feel guilty? "Yes. The guilt I feel inside of me no institution or media or correctional facility could ever exceed."

Stewart, who worked as a fashion model in New York and a legal secretary in the Bay Area, said she has been completely free of drugs and alcohol since the death of her sons despite 20 years of nearly daily use of cocaine.

"I've been called a role model," she said with obvious pride. "I've paid my debt."

Deputy District Attorney Kenneth Burr argued for a prison sentence, saying in a written report: "The thing that concerns me the most is that she has demonstrated that when her best interest requires it (i.e. when her neck is on the line) she can control her conduct.

"Ms. Stewart had no difficulty removing the baby from her body and severing the umbilical cord . . . but could not lift a finger to dial 911 to get life-saving help for that helpless newborn, she simply let it die.

"Ms. Stewart seems to have spent much of her life trying to avoid responsibility for her conduct and seems to be continuing in that vein now," Burr wrote. Stewart originally was charged with two counts of murder, but one count was dropped after it was determined that the second infant was stillborn.

She pleaded guilty earlier this year in a negotiated settlement to one count of involuntary manslaughter.



# Black addic

APR 29 1990

## Panelists say bias in justice s

By Robert J. Lopez  
The Tribune

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SAN FRANCISCO — As cities in the Bay Area and across the nation battle the scourge of crack cocaine, black communities are being decimated because the criminal justice system punishes minorities in disproportionate numbers.

The result — according to police officers, ministers, attorneys, educators and others who gathered here for a national crack summit — is that thousands of young men and women end up behind bars with felony records, killing any hope they have to re-enter mainstream society successfully.

"In essence, the criminal justice system has failed," said Oakland attorney John Burris, one of the panel members who addressed some 500 people Friday night at a town meeting at Glide Memorial United Methodist Church.

"When you criminalize a large segment of the population, in effect, you make them unemployable for the rest of their lives," Burris said. "It is quite painful to me to see all these black people going to court and state prison, knowing that they will never have a chance."

The panel discussion, a KQED special report that was broadcast live on public television, was held in conjunction with the church-sponsored conference called "Rebirth of a Race." The three-day event, which ended yesterday, attracted more than 1,500 people from around the nation.

Some of the issues addressed during the conference included:

■ The need to channel more resources into education and prevention programs. The Mandela House in Oakland, the Omega Boys Club in San Francisco



Former crack addict Deborah Stewart: "There was no support system. I had to do it on my own and I'm proud of myself."

and the BAD (Boston Against Drugs) program on the East Coast were mentioned as models worthy of emulation.

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■ The growing number of infants born addicted to cocaine. At Highland General Hospital in Oakland alone, doctors treated over 400 babies in 1989 whose mothers smoked crack during pregnancy. Similar figures were reported at hospitals around the country.

■ The need to mobilize a concerted effort, reminiscent of the civil rights movement of the 1960s, to overcome the ravages of drug abuse. The church and the family would play pivotal roles, those at the conference said.

At Friday's town meeting, speakers said a disproportionate number of African Americans and Hispanics end up behind bars.

One of four black men in their 20s is either in prison, in jail or on parole or probation. In contrast, only one out of every 17 white men fall into the same categories.

Consequently, panelists said, black people and other minorities end up with prison records and are unable to find work, creating a permanent underclass with little or no hope for advancement.

"If we could do one thing to stop the crack epidemic, it would be to purge people's drug records," said panelist Julianne Malveaux, an economist and visiting professor at the University of California at Berkeley.

One reason why people of color are singled out, according to Berkeley police Lt. Reginald Lyles, is that they represent the disenfranchised strata of society and are often the most visible targets.

"The system itself is brutal on people of color," said Lyles, an Oakland native and chairman of the Oakland crack task force.

"If you want to stop the drug problem," he added, "give people options."

Some of those options could involve such support programs as the nationally acclaimed Mandela House in Oakland. Mandela founder Minnie Thomas said the 18-month program prepares recovering mothers to rejoin society.

The need for such help was underscored in the moving testimonial of an Oakland woman ac-

# addicts face double trouble

*justice system inhibits recovery of African American crack users*

cused of allowing her just-born twins to die while she was on a crack binge.

"You're presented with a lot of fear and frustration and nowhere to turn," said Deborah Stewart. Her twin boys were found dead in February 1989 on a bathroom floor after she abandoned them to look for crack.

"There was no support system. I had to do it (stop using crack)

on my own and I'm proud of myself," she said to a spirited round of applause from the audience.

In a bleak assessment of the situation, Dr. Rick Fulroth of Highland Hospital told of a growing number of infants born addicted to cocaine. In 1989, he said, Highland doctors treated 437 such babies.

"These kids are our only hope for the future," said Fulroth.

During the conference, panel-

ists and members of the audience called for an all-out effort, similar to the battle for civil rights, to pull black America from the grip of drug abuse. They called for spiritual reawakening as well as a return to traditional family values.

"We have a long way to go," said the Rev. Cecil Williams, pastor of Glide Church. "But we can do it with the right education and direction."